

UNITED STATES DISTRICT COURT
for the
DISTRICT OF MASSACHUSETTS

VICTOR P. CAPALDI
Plaintiff

v.

F/V GEORGIE J, her engines, boilers, equipment,
machinery, tackle, furnishings, apparel, appurtenances,
etc., including, but not limited to, its commercial fishing
licenses, permits, limited entry rights, quotas, moratorium
permits/licenses, and all other fishing rights, history,
privileges, or entitlements arising from, issued to,
attaching to, or appurtenant to said vessel, *in rem*
Defendant

Civil Action
No. 04-10843-JLT

ORDER CONFIRMING THE INTERLOCUTORY SALE OF F/V GEORGIE J

This Court has reviewed the United States Marshal's report of sale and *Plaintiff's Motion To Confirm the Interlocutory Sale of F/V GEORGIE J* which seeks the confirmation of the interlocutory sale of Defendant vessel F/V GEORGIE J (O.N. 502064), her engines, boilers, equipment, machinery, tackle, furnishings, apparel, appurtenances, etc., including, but not limited to, its commercial fishing licenses, permits, limited entry rights, quotas, moratorium permits/licenses, and all other fishing rights, history, privileges, or entitlements arising from, issued to, attaching to, or appurtenant to said vessel, (hereinafter referred to as the "Vessel"), to the highest bidder, Mr. Carlos Rafael of 77 Tucker Lane, North Dartmouth, Massachusetts, 02747, and it appearing from the Marshal's report that the F/V GEORGIE J was sold at public auction at the time and place directed for the sum of One Million Seven Hundred Thousand and

00/100 Dollars (\$1,700,000.00), which was the highest bidder and the best bid offered by Mr. Rafael and the Court being satisfied in all respects that the aforesaid sale was regularly and fairly conducted, upon consideration thereof, and after a hearing, it is hereby:

ORDERED, ADJUDGED and DECREED that the interlocutory sale of the Defendant Vessel, F/V GEORGIE J (O.N. 502064), her engines, boilers, equipment, machinery, tackle, furnishings, apparel, appurtenances, etc., including, but not limited to, its commercial fishing licenses, permits, limited entry rights, quotas, moratorium permits/licenses, and all other fishing rights, history, privileges, or entitlements arising from, issued to, attaching to, or appurtenant to said Vessel, by the United States Marshal on October 20, 2004 to Mr. Carlos Rafael of 77 Tucker Lane, North Dartmouth, Massachusetts, 02747, be and the same is hereby approved and confirmed in all respects in accordance with Rule E(9) of the Supplemental Rules for Certain Admiralty and Maritime Matters of the Federal Rules of Civil Procedure, it is further


ORDERED, ADJUDGED and DECREED, that the sum of One Million Seven Hundred Thousand and 00/100 Dollars(\$1,700,000.00) be deposited with the United States Marshal to abide the event of this action and to satisfy court costs, including custodial fees and expenses associated with arresting, storing, maintaining and the auction of said Vessel, as well as the United States Marshall commission and costs of sale, and that said sum be retained in the custody of the Marshals Service to be distributed as further ordered by this Court; and it is further

IN AN INTEREST BEARING ACCOUNT

ORDERED, ADJUDGED and DECREED that the United States Marshal is hereby directed to issue a bill of sale therefore and release and deliver the Vessel, together with her engines, boilers, equipment, machinery, tackle, furnishings, apparel, appurtenances, etc., including, but not limited to, its commercial fishing licenses, permits, limited entry rights,

quotas, moratorium permits/licenses, and all other fishing rights, history, privileges, or entitlements arising from, issued to, attaching to, or appurtenant to said Vessel, to Mr. Carlos Rafael of 77 Tucker Lane, North Dartmouth, Massachusetts, 02747, upon the payment of the total purchase price, and all sums due and owing to the Marshals Service for his commission and costs and expenses of sale.

Dated at Boston, Massachusetts on this 15 day of November, 2004



Joseph L. Tauro
United State District Court Judge